

date rec'd 9/17/19 AJ

19cv 3311

## Amended Complaint

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

ANDRE DIBBS,  
Plaintiff, pro-se  
Proceeding in forma  
pauperis

Amended Complaint  
Civil Action  
Case NO. #  
1:19cv-03311

v.

CO. Sullivan  
Captain Douzer-Williams #517  
(under color of state law  
individually and in their official capacities)  
Defendants,

JURY TRIAL  
Demanded



### I. Amended Complaint

Plaintiff, Andre Diggs, Pro-se, for their Amended Complaint states as follows:

### II. Parties, Jurisdiction, and Venue

1. Plaintiff, Andre Diggs was confined as a pre-trial detainee in the municipal city jail, located at 275 Atlantic Avenue, Bk, N.Y., 11201 from April 12, 2019 to date. Plaintiff is currently confined at 125 Smith Street New York, N.Y., 10013.

2. Plaintiff, Andre Diggs is and was at all times mentioned herein an adult citizen of the United States and a resident of the State of New York.

3. Defendant C.O. Sullivan is and was at all times relevant a Correctional Officer employed at the jail.

4. Defendant Captain Bowzer-Williams #517 is and was at all times relevant herein an employee at the jail.

5. Defendant Captain Bowzer-Williams #517 is employed as a Correctional Officer at Brooklyn Detention Complex.

6. This action arises under and is brought pursuant to 42 USC Section 1983 to remedy the deprivation, under color of state law of rights guaranteed by the First and Eight Amendments to the United States Constitution.

The Court has jurisdiction over this action pursuant to 28 U.S.C. Section 1331 and 1343.

7. Plaintiff claim for injunctive relief and authorized by rule 65 of the Federal Rules of Civil Procedures.

8. This cause of action arose in the Eastern District of New York, Therefore, venue is Proper under 28 U.S.C. Section 1391 (b).



### III Previous Lawsuits by Plaintiff

9. Plaintiff has filed no other lawsuit dealing with the same facts relating to his imprisonment.

### IV Exhaustion of Administration Remedies

10. On the following dates of 5/8/2019 - 5/10/2019 until the present date I was being denied my suhoor bag which is my pre-dawn meal during the holy month of Ramadan which makes it impossible to fast. Because of that reason I complained to numerous correctional officers which came to no avail. So on May 11, 2019 I filed a grievance on the matters stated above. On May 15, 2019 I was called to the grievance office and asked to amend my grievance because of a mix-up with the dates. So I rewrote my grievance and submitted it on 5/15/2019. On 5/21/2019 my grievance was answered. The grievance coordinator C.O. Kelly informed me that I was placed back on the list to receive my suhoor bags.

### V Statement of claim

11. At all relevant times herein, defendants were "persons" for purposes of 42 U.S.C. § 1983 and acted under color of state law to deprive plaintiff of their constitutional rights as set forth more fully below.

### VI Statement of facts

12. On or before the day of May 8, 2019 C.O. Sulreman took my name off the Ramadan List and it was approved and implemented by Captain Bowzer-Williams #517.

13. On the night of May 8, 2019 I was denied my suhoor bag (my pre-dawn meal) during the holy month of Ramadan!

14. On the morning of May 9, 2019 I was waken up at 3:30 AM to eat my pre-dawn meal that was never given to me the night before.

15. On the night of May 9, 2019 I was denied my suhoor bag (my pre-dawn meal) during the holy month of Ramadan.

16. On the morning of May 10, 2019 I was waken up at 3:30 AM to eat my pre-dawn meal that was never given to me the night before.

17. On the night of May 10, 2019 I was denied my suhoor bag (my pre-dawn meal) during the holy month of Ramadan.

## VII PRAYER FOR RELIEF

18. Plaintiff request an order declaring that the defendants have acted in violation of the United States Constitution.

19. Plaintiff request an injunction relief compelling defendants to stop depriving me of my suhoor bag (my pre-dawn meal) during the holy month of Ramadan so I can properly practice my religion and fast.

20. Plaintiff request 10,000,000 as compensatory damages.

Signed this 7 day of September 2019

I declare under Penalty of perjury that the foregoing is true and correct.

9/7/2019  
DATE

Andre figgs  
Plaintiff NAME



ANDRE DIBBS BC# 541-190-0468  
Manhattan Detention Complex  
125 Smith St. New York,  
N.Y. 10013



\*LEGAL MAIL\*



RECEIVED  
SEP 1 2013  
PRO SE OFFICE



Pro-se Office  
Clerk of U.S. District Court  
Eastern District of New York  
225 Cadman Plaza  
East Brooklyn  
N.Y. 11201

OFFICIAL BUSINESS

